

Application No.: 10/652,750

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**REMARKS**

Claims 1-46 were pending in the present application. By virtue of this response, claims 3 and 20 have been cancelled, claims 1, 2, 4-6, 8, 18, 19, 21-25, 29, 35, 36, 41 and 42 have been amended, and new claims 47 and 48 have been added. Accordingly, claims 1, 2, 4-19, and 21-48 are currently under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter has been added.

The Examiner objected to claims 1-18 on the grounds that the definitions of "first delta" and "second delta" are not provided. The specification indicates that these are values (e.g., "first delta threshold value," "second delta limit value"). Accordingly, Applicant has amended the objected terms to "first delta value" and "second delta value," respectively, for clarification purposes.

The Examiner objected to claims 29-33 as apparatus claims depending from method claim 1. The dependency of those claims has been corrected.

The Examiner found that claims 5, 6, 8-17, 22, 23 and 25-34 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

**Rejections under 35 U.S.C. § 102**

Claims 1, 2, 4, 7, 18-21, and 24 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,363,100 ("Bailey"). The Examiner states that Bailey discloses a correlation receiver comprising "a master peak detector for determining whether an amplitude of a pulse of a correlation signal exceeds by at least a first delta (i.e.,  $V_A$ ) an amplitude of a prior peak (i.e., a threshold value), and, if so, designating the pulse as a peak and setting an amplitude of the peak as the amplitude of the prior peak increased by a second delta."

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Applicants respectfully disagree. Bailey discloses testing an incoming signal  $S_p$  against an intermediate threshold  $T_M$ , where  $T_M$  is "most useful" when ranging between 25% and 75% of a peak threshold value  $T_p$ . In other words, Bailey at most discloses whether an incoming signal exceeds a fraction of a peak threshold value. (In addition,  $V_A$  is not part of the threshold testing of the incoming signal, but rather the value added to the peak threshold value after the threshold test is satisfied.) Applicants respectfully submit that Bailey does not disclose or suggest determining whether an amplitude of a pulse exceeds by at least a first delta value an amplitude of a prior peak. Moreover, Bailey does not disclose a correlation receiver or the detection of peaks of a correlation signal.

Finally, Bailey does not disclose or suggest designating the pulse as a peak and setting an amplitude of the peak as the amplitude of the prior peak increased by a second delta value, wherein the second delta value is a value of a nondecreasing function of the time between the prior peak and the pulse, as required by amended independent claims 1 and 18. The Examiner does not state in the Office action any evidence that Bailey discloses the highlighted limitation, which can be found in original claims 3 and 20.

For at least the foregoing reasons, Applicant respectfully submits that claims 1, 2, 4, 7, 19-21, and 24 are in condition for allowance.

Claims 35 and 41 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,762,712 ("Kim"). The Examiner states that Kim discloses a correlation receiver for detecting a pulse input signal, including a correlation filter having a transfer function shape substantially similar to the transfer function shape of a bandpass filter, referring to col. 26, ll. 59-67 and col. 27, ll. 1-25. Kim merely discloses that a bandpass filter and correlation process may be combined into a single transfer function. Kim does not disclose or suggest that the correlation filter has a transfer function shape that is substantially similar to the transfer function shape of the bandpass filter. Consequently, Applicant respectfully submits that claims 35 and 41 are in condition for allowance.

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**Rejections under 35 U.S.C. § 103**

Claims 36 and 42 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kim in view of U.S. Patent No. 6,469,862 ("Stein"). The Examiner uses Stein to argue that it would have been obvious to combine features purportedly shown in Stein with the subject matter of Kim to obtain the limitations of claims 36 and 42, which depend from claims 35 and 41, respectively.

Claims 37-40 and 43-46 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kim as modified by Stein and further in view of U.S. Patent No. 6,558,774 ("Saliba"). The Examiner uses Stein and Saliba to argue that it would have been obvious to combine features purportedly shown in Stein and Saliba with the subject matter of Kim to obtain the limitations of claims 37-40 and 43-46, which depend from claims 35 and 41, respectively.

At least for the reasons give for independent claims 35 and 41, Applicants respectfully submit that dependent claims 36-40 and 42-46 are also allowable.

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**CONCLUSION**

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 249212022500. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: November 22, 2005

Respectfully submitted,

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